

ATTACHMENT "A" - M.O.U. MITIGATION FEES CALCULATION WORKSHEET - SUMMARY

	Calculated Fee
Permanent Use	\$9,335.63
Temporary Use	\$5,486.99
TOTAL =	\$14,822.61

Project:	2615 Canterbury - Lady Bird Lake/East 4th Street Drainage		
	Improvements		
MOU #	09-020	Supplemental to MOU 09-006	

NOTE: MITIGATION FEES WAIVED - WORK PERFORMED WILL BE DIRECT IMPROVEMENT TO PARKLAND

- ① ^{What} ~~fresh~~ - could be collected. / with the storm drain. C
- ②. notification / 500' radius for notification. -
- ③ credit to the construction
- ④. mitigation / nature of the mitigation - 2-mile Bond markers: - / what is going for.

9/22/2009

ATTACHMENT "A" - M.O.U. MITIGATION FEES CALCULATION WORKSHEET

Permanent Use - Residential		Project: 2615 Canterbury - Lady Bird Lake/East 4th Street Drainage	
TCAD Land Value of Adjacent Properties (\$):		\$97,500.00	Improvements MOU # 09-020 Supplemental to MOU 09-006
Avg. Lot Size (sq. ft.):	7000.0	Based on City-wide average for lots zoned SF-3	
Value per Square Foot. (\$):	\$13.93	TCAD Land Value divided by Avg. Lot Size	
Requested Area (sq. ft.):	1915.0	Submitted by Requesting Department/Entity	
Preliminary Mitigation Value (\$):	\$26,673.21	Requested Area multiplied by the Value per Square Foot	
Disturbance Value (%):	35.00%	Based on limitations on future development for that portion of parkland (see table below)	
Final Mitigation Value (\$):	\$9,335.63	Preliminary Mitigation Value multiplied by the Disturbance Value	
DISTURBANCE VALUES			
35%	Area can still be developed with minimal or no limitations (underground work/materials with no/few above ground appurtenances/fixtures)		
50%	Area can still be developed with moderate limitations (underground work/materials with some small/medium appurtenances/fixtures)		
75%	Development severely limited (underground work/materials with large or several small/medium appurtenances/fixtures)		
100%	No future park development possible in the area - dedicated to installation (underground and/or surface appurtenances/fixtures)		

ATTACHMENT "A" - M.O.U. MITIGATION FEES CALCULATION WORKSHEET

		Project: 2615 Canterbury - Lady Bird Lake/East 4th Street Drainage	
Temp. Use - Residential		Improvements	
		MOU #	09-020
TCAD Land Value of Adjacent Properties (\$):	\$97,500.00		
Average Lot Size (sq. ft.):	7000.0	<i>Based on City-wide average for lots zoned SF-3</i>	
Value per Square Ft. (\$):	\$13.929		
Requested Area (sq. ft.):	10505.0	<i>Submitted by Requesting Department/Entity</i>	
Preliminary Annual Value of Requested Area (\$)	\$146,319.64	<i>Area requested multiplied by Value per Square Ft.</i>	
Adjusted Annual Value of Requested Area (\$)	\$21,947.95	<i>(15% Rate of Return)</i>	
Monthly Value of Requested Area (\$)	\$1,829.00	<i>Adjusted Annual Value divided by 12</i>	
Daily Temporary Use Fee (\$):	\$60.97	<i>Monthly Value divided by 30 (Average number of days in a month)</i>	
Days Requested:	90	<i>Submitted by Requesting Department/Entity</i>	
Temporary Use Fee (\$):	\$5,486.99	<i>Daily Temporary Use Fee multiplied by Days Requested</i>	

Item # 2



Memorandum

To: Parks & Recreation Board Members

From: Ricardo Soliz, Division Manager
Parks and Recreation Department

Subject: Update on Robert Donley Museum

Date: September 17, 2009

Board Member,

The following is a chronology of events on the status of the Donley Museum Initiative. I will be briefing at the next Parks Board meeting.

- July 2007- Council approved a resolution directing the City Manager to allocate \$72,000 from Holly Good Neighborhood Program to fund the construction of a museum. Also negotiate and execute an agreement between the City of Austin and Austin Latino Music Association (ALMA) regarding construction and management of the museum.
- June 17, 2008 – Rudy Garza confirms that the expectation is for the City to release \$72,000 after verification that supplemental funding has been raised by ALMA.
- November 5, 2008 – ALMA, PARD and Public Works meet to discuss the Code requirements for the museum project, including re-zoning, survey, Site Development Permit, community outreach and a signed agreement. Due to inadequate funding, these requirements are not completed.
- December 5, 2008 - Kalpana Sutaria, Project Manager – Public Works Dept. put together a budget for the project. The museum was estimated to cost \$167,450 if built in 2008 or \$175,822 if built in 2010. The estimate included: a 1,500 sq. ft. pre-fabricated building and off-site parking. ALMA was expected to raise the funding in excess of the City's \$72,000. ALMA has not demonstrated that their funding has been raised. Without full funding, the project has not advanced.

- May 19, 2009 - The Holly Decommission Committee expressed their concern to PARD about the location of a museum at Donley Park.
- July 1, 2009 – In a staff meeting on decommissioning the Holly Street Plant, Austin Energy (AE) indicated that they need at least 100 feet of the most southern portion of Donley Park as a “no built zone” to access to Riverview Street for maintenance purposes. This issue must be accommodated in the design and may limit the development potential of the museum site, including a plaza.

RESOLUTION NO. 20070726-082

WHEREAS, Latino music has enriched Austin's cultural environment and enhanced Austin's identity as the "Live Music Capital of the World"; and

WHEREAS, the Austin City Council has identified honoring legendary artist, Manuel "Cowboy" Donley, who has played a major role in Austin's music culture, as a project to be funded by the Holly Good Neighbor Program; **NOW, THEREFORE**,

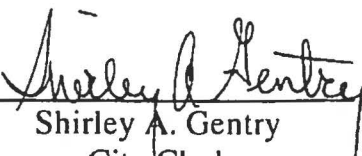
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager is directed to:

- (1) allocate \$72,000 from the Holly Good Neighbor Program to fund the construction of a museum documenting the career of the legendary artist, Manuel "Cowboy" Donley, at the City of Austin park that is named in honor of Manuel Donley and his brother Robert Donley; and
- (2) negotiate and execute an agreement between the City of Austin and the Austin Latino Music Association regarding construction and management of the museum.

ADOPTED: July 26, 2007

ATTEST:


Shirley A. Gentry
City Clerk

Item # 3

zACH
T H E A T R E
ZACHARY SCOTT THEATRE CENTER

ANDERSSON · WISE ARCHITECTS
Theatre Consultants Collaborative, LLC



ZACH Theatre Center Campus Parking
100% Schematic Design

Andersson•Wise Architects
9/16/2009

Evening Use	Basis	Code	Requirement*
New Theatre	418 seats	1 space per 4 seats	84
Kleberg	240 seats	1 space per 4 seats	48
Whisenhunt (Arena Stage)	130 seats	1 space per 4 seats	26
			<hr/> 158

Daytime Use

New Theatre Admin	717 sf	1 space per 275 sf	3
Whisenhunt Admin	2000 sf	1 space per 275 sf	6
ZPACC Admin	3500 sf	1 space per 275 sf	11
ZPACC Art Workshop	14500 sf	1 space per 1000 sf	12
Arena Stage, education	130 seats	1 space per 4 seats	26
			<hr/> 58

Available Parking Spaces

New Site Lot	64
Whisenhunt Lot	52
ZPACC Lot	10
Valet (backlot)	38
Riverside Drive (street)	38
Riverside Drive (existing lot)	67
	<hr/> 269

Add'l Baseball Lot Parking (Toomey Drive) 133

*Includes 20% Urban Core Deduction

- NEW SITE LOT
- WISENHUNT LOT
- ZPACC LOT
- VALET
- RIVERSIDE DRIVE
- BASEBALL LOT PARKING

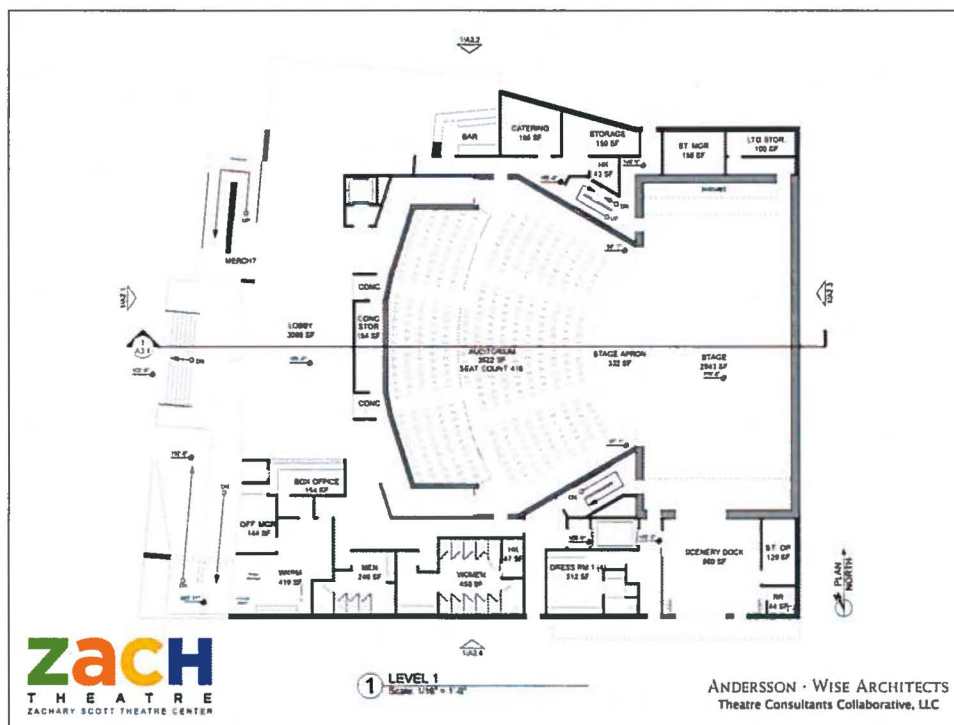
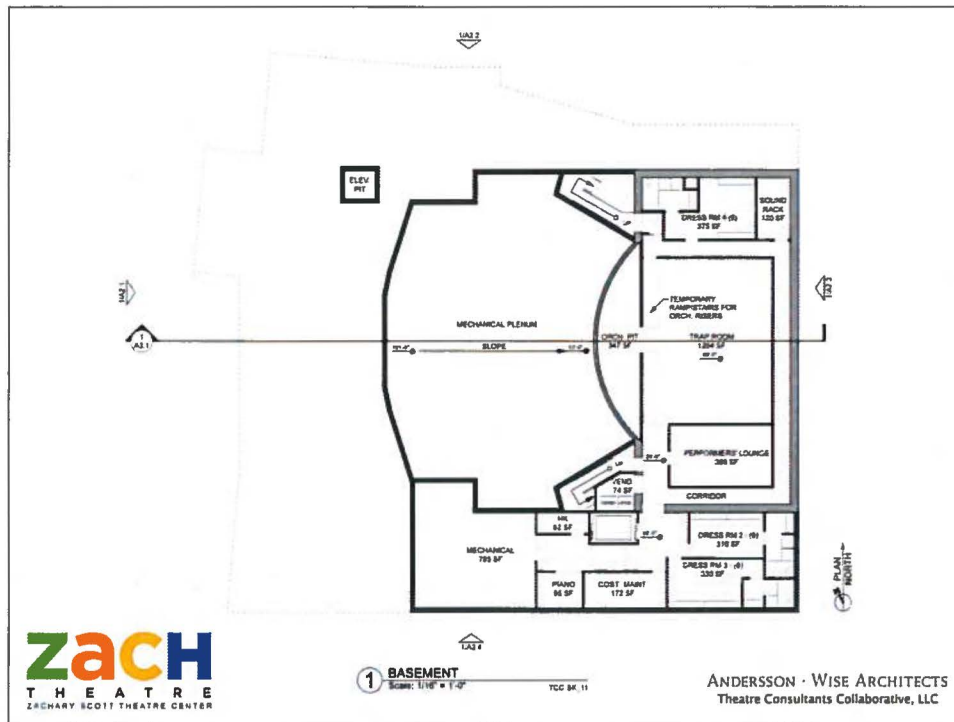


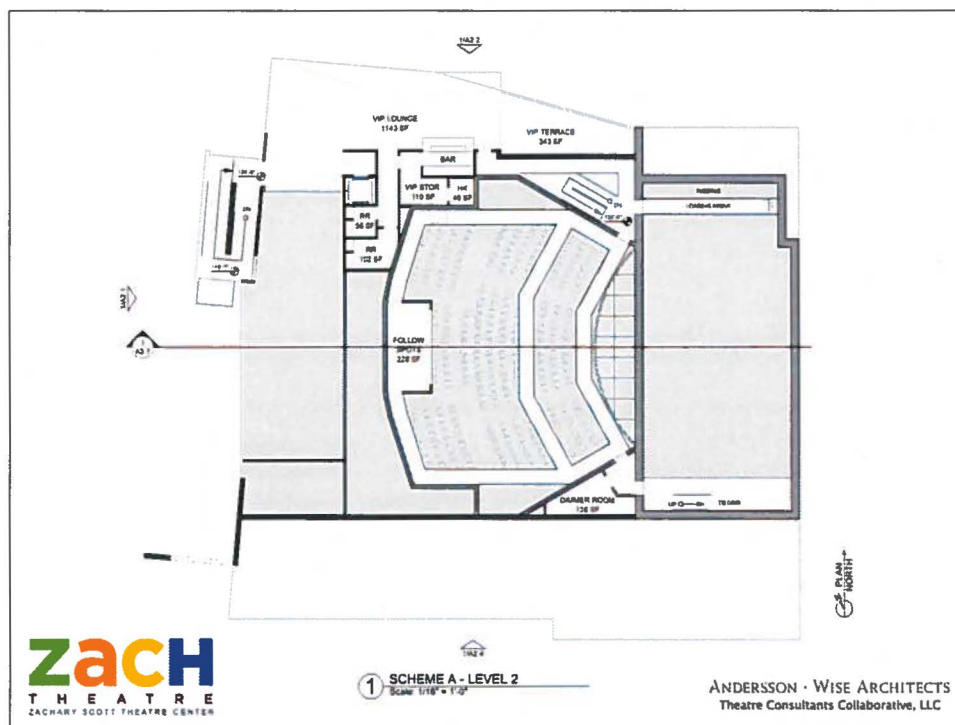
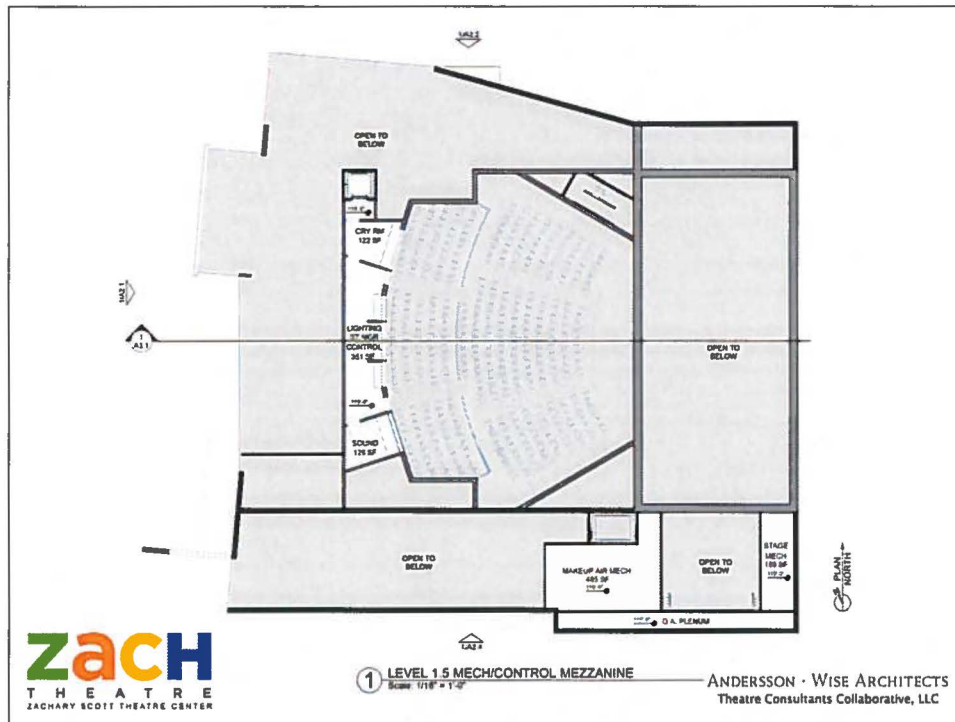


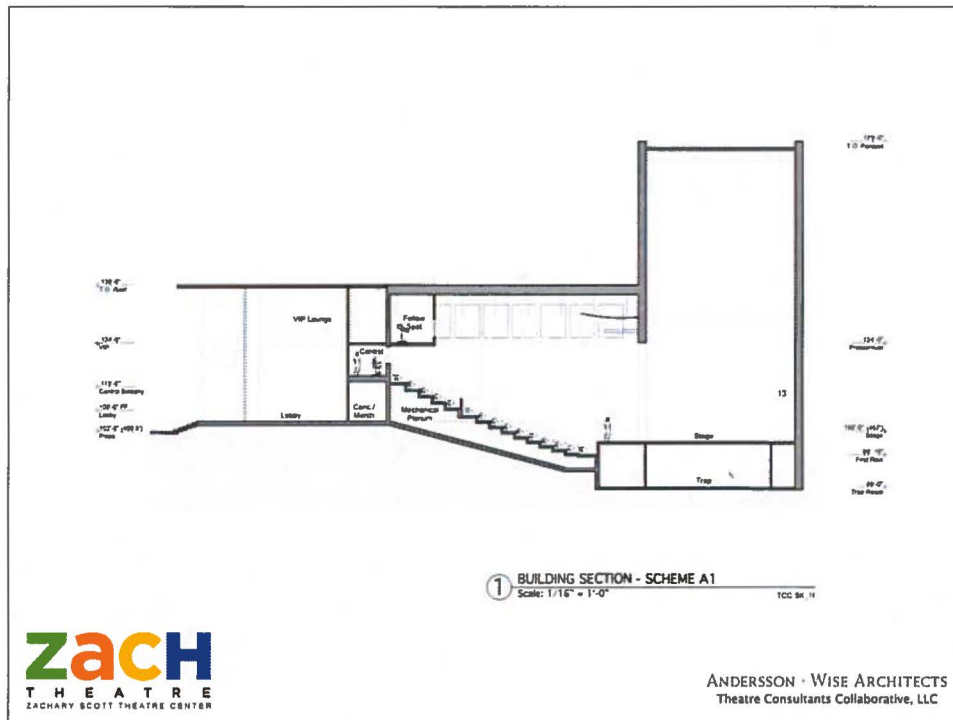
View of West Facade



View of North Facade







ZACH Theatre Center General Program

Seat count = 418

Gross sq footage = 30,561

Public Lobby = 3,086

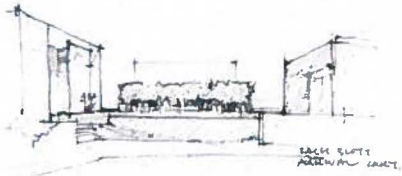
Auditorium/Stage = 6,592

VIP Lounge = 1,143

ZACH
THEATRE
ZACHARY SCOTT THEATRE CENTER

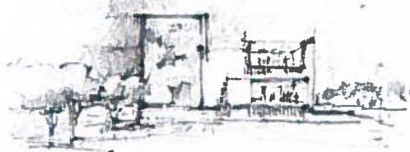
ANDERSSON · WISE ARCHITECTS
Theatre Consultants Collaborative, LLC

zach
THEATRE



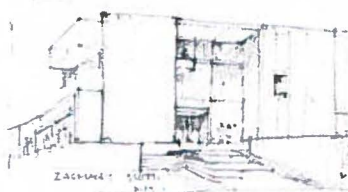
zach sketch
arrival court

ARRIVAL COURT



NORTH FACADE

zach
THEATRE



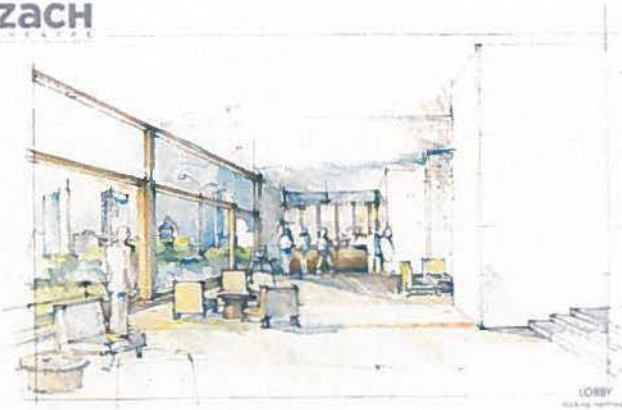
zach sketch
theatre entrance

THEATRE ENTRANCE



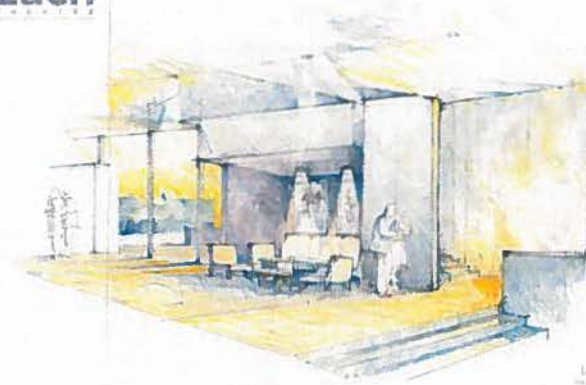
NORTH FACADE

zach
ARCHITECTS

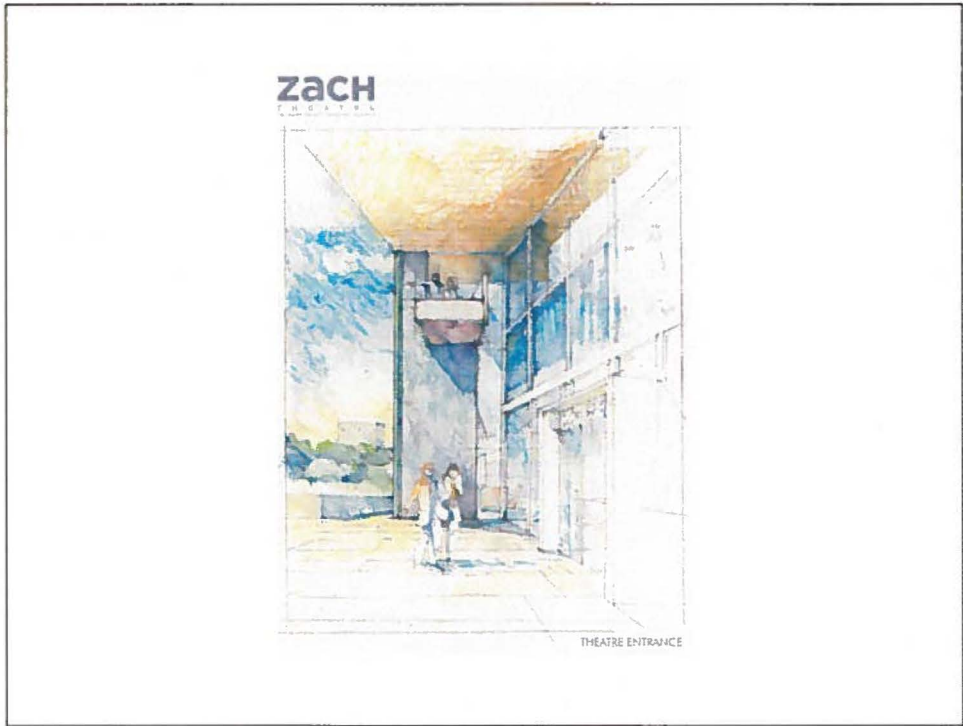


LOBBY
1000 sq. ft.

zach
ARCHITECTS



LOBBY
1000 sq. ft.



Item # 6

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BY-LAWS OF THE
City of Austin Parks and Recreation Department (PARD) OLA (Off-Leash Area) Advisory Committee

ARTICLE 1. NAME.

The name of the Committee is the City of Austin Parks and Recreation Department's OLA Advisory Committee

ARTICLE 2. PURPOSE AND DUTIES.

The OLA Advisory Committee should have a balanced membership reflecting persons who are interested in public parks and recreation that includes off-leash dogs and their owners. The OLA Advisory Committee should include, but not limited to, those who have a demonstrated working knowledge of the City's current OLAs Off-Leash Areas, educating and engaging others on responsible off-leash use, experience in positive dog behavior training, and/or in the development, funding, and implementation of improvements that support recreational sustainability of OLAs Off-Leash Areas on City property.

Duties of The OLA Advisory Committee shall, in coordination with PARD:

- Assess the need for OLAs throughout the City and make recommendations for the creation, development, implementation and maintenance of additional areas;
- Facilitate annual site reviews of existing OLAs throughout the City and recommend improvements and changes that increase their safety, and sustainability;
- Facilitate ongoing public education and awareness of City ordinances and guidance that supports responsible use of OLAs;
- Actively identify, partner and prepare civic, volunteer, and neighborhood groups organized to foster, promote, and sponsor OLAs and their responsible use;
- Provide support and guidance for OLA park adopters; Serve as a Liaison between PARD and OLA park adopters
- Encourage and support ongoing efforts and new volunteer efforts to generate responsible use, improvements, and maintenance of OLA
- Explore, develop, and support the implementation of policies that contribute to the continued use, development, and maintenance of sustainable OLAs
- Provide ongoing input and information to the City of Austin's Parks and Recreation Department, Board members, and others on initiatives that require investments of public and other funding sources
- Provide ongoing input and information to the City of Austin's Parks and Recreation Department, Board members, and City Council that forwards these objectives to complete other activities consistent with its purpose and with PARD's approval.

ARTICLE 3. MEMBERSHIP.

(A) The OLA (Off-Leash Area) Advisory Committee will be composed ~~initially~~ of thirteen stakeholders initially identified through a deliberate outreach and ~~engagement~~ application process by PARD, Austin Parks Foundation and members of the OLA (Off-Leash Area) Task Force; which was appointed by PARD in Spring 2009.

(B) Each stakeholder shall meet the following criteria:

- a. Represents an organization or entity that has an interest:
 - i. In current OLAs as defined by the City of Austin Ordinance 3-3-4; and/or
 - ii. In the development of future areas where dogs are not required to be restrained
 - iii. In participating in educational outreach and engagement on issues of sustainable recreational stewardship that involves people and off-leash dogs

- b. Has decision-making authority for that group which he/she represents
- c. Is able to attend all meetings or send a designated alternate;
- d. Is willing to identify and bring resources, including knowledge, volunteers, and/or funding to the table that will contribute to the sustainable use of current and future OLAs (Off-Leash Areas)

(C) To select the initial committee members, Austin Parks and Recreation Department (PAR) shall establish an Ad Hoc Selection Committee consisting of City Staff and representatives of the community who will review each application, seeking to include as broad and diverse a base of stakeholders as possible with specific focus on the geographic diversity of participants, the inclusion of both current and prospective park adopters of off-leash areas, and the range of resources that each can bring, and the aggregate of resources that the OLA Advisory Committee will engage. The committee will set a process for selecting additional or replacement members consistent with the aforementioned criteria.

(D) Selected applicants will serve as the members of the OLA Advisory Committee.

(E) OLA Advisory Committee members are expected to prepare for all meetings as deemed necessary by the group, including reading materials, consulting with their group and/or others for advice or direction, or preparing constructive proposals for the OLA Advisory Committee's consideration.

(F) OLA Advisory Committee members are expected to keep their organizations informed on issues being discussed and to get regular input from those that they represent as to their organization's concerns and interests.

(G) OLA Advisory Committee members serve for a term of staggered two years beginning October 1st except for the first meeting of the committee; the members shall draw lots to determine those committee members whose terms will expire on October 1, 2010 and those members whose terms shall expire on October 1, 2011.

(H) An individual OLA (Off-Leash Area) Advisory Committee member may not act in an official capacity except through the action of the OLA Advisory Committee.

(I) An OLA Advisory Committee member who is absent for three consecutive regular meetings or one-third of all regular meetings in a twelve month time period automatically vacates the member's position. This does not apply to an absence due to illness or injury if the member notifies the OLA Advisory Committee Chair or his /her designee of the reason for the absence no later than the next meeting of the OLA Advisory Committee.

(J) At each meeting, each OLA Advisory Committee member shall sign an attendance sheet which indicates that the member does not have a conflict of interest with any item on that agenda, or identifies each agenda item on which the member has a conflict of interest.

(K) A member who seeks to resign from the OLA Advisory Committee shall submit a written resignation to the OLA Advisory Committee or his /her designee. If possible, the resignation should allow for a thirty day notice so the Chair, with the consensus of the OLA Advisory Committee, can appoint a qualified replacement who meets the criteria outlined in Article 2.

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ARTICLE 4. OFFICERS.

- (A) The officers of the OLA (Off-Leash Area) Advisory Committee shall consist of a Chair a Vice-Chair, Secretary.
- (B) Officers shall be elected annually by a majority vote of the OLA Advisory Committee at the first regular meeting after Oct 1st.
- (C) The term of office shall be one year, beginning October 1, 2009 and ending September 31, 2010. An officer may continue to serve until a successor is elected. An officer may be re-elected for not more than one additional consecutive one-year term.
- (D) A member may not hold more than one office at a time.

ARTICLE 5. DUTIES OF OFFICERS.

- (A) The Chair shall preside at OLA Advisory Committee meetings and represent the Committee at ceremonial functions.
- (B) In the absence of the Chair, the Vice-Chair shall perform all duties of the Chair.
- (C) The Secretary or his/her designee shall prepare and distribute the agenda to the OLA Advisory Committee members not less than 72 hours before the meeting.

ARTICLE 6. AGENDAS.

- (A) Two or more OLA (Off-Leash Area) Advisory Committee members may place an item on the agenda by oral or written request to the Chair or his/her designee at least five days before the meeting.
- (B) The Secretary or his/her designee shall prepare and distribute the agenda to the OLA Advisory Committee members not less than 72 hours before the meeting. Minutes shall document official actions taken by the OLA Advisory committee.
- (C) Posting of the agenda must comply with Texas Government Code Chapter 551 (Texas Open Meetings Act).

ARTICLE 7. MEETINGS.

- (A) The OLA Advisory Committee meetings shall comply with Texas Government Code Chapter 551 (Texas Open Meetings Act).
- (B) OLA Advisory Committee meetings shall be governed by Robert's Rules of Order.
- (C) The OLA Advisory Committee may not conduct a closed meeting without the approval of the city attorney.
- (D) The regular meeting of the OLA Advisory Committee shall be held every other month on that recurring weekday, at the time, and at the location determined to be mutually convenient to the Committee's members. If the regular meeting day is a holiday, the meeting will be held on the date, time, and location determined to be mutually convenient to the Committee members.

- 1 (E) The Chair may call a special meeting, and the Chair shall call a special meeting if requested by three or more
2 members. The call shall state the purpose of the meeting. A notice of a special meeting must be in writing
3 and sent to all members at least three days before the meeting.
4
5 (F) A quorum is 1 more than half the members currently in office
6
7 (G) If a quorum for a meeting does not convene within one-half hour of the posted time for the meeting, then the
8 meeting may not be held.
9
10 (H) To be effective, an OLA (Off-Leash Area) Advisory Committee action must be adopted by affirmative vote
11 of not less than a quorum.
12
13 (I) The Chair has the same voting privilege as any other member.
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15 (J) The OLA Advisory Committee shall allow citizens to address the members on agenda items and during a
16 period of time set aside for citizen communications. The Chair may limit a speaker to three minutes.
17
18 (K) The minutes of each Committee meeting must include the vote of each member on each item before the
19 OLA (Off-Leash Area) Advisory Committee and indicate whether a member is absent or failed to vote on an
20 item.
21
22 (L) The City of Austin's Parks and Recreation Department (PARD) shall retain all electronic copies of the
23 official OLA Advisory Committee agendas and minutes. The documents are public records under Texas
24 Local Government Code Chapter 552 (Texas Public Information Act).
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26 (M) The Chair shall adjourn a meeting not later than 10 p.m., unless the OLA Advisory Committee votes to
27 continue the meeting.
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32 **ARTICLE 8. STANDING OR SPECIAL SUB-COMMITTEES.**

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- 35 (A) The OLA Advisory committee shall establish standing or special sub-committees by affirmative vote and
36 provide a written charge to each sub-committee. Each standing or special sub-committee shall consist of at
37 least two OLA Advisory Committee members.
38
39 (B) Each standing or sub-committee shall be chaired by an OLA Advisory committee member.
40
41 (C) A majority of the total number of sub-committee members constitutes a quorum.
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43 (D) Each standing sub-committee shall meet on a regularly scheduled basis.
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45 (E) Sub-Committee meetings must be posted in accordance with Texas Government Code Chapter 551 (Texas
46 Open Meetings Act).
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3 **ARTICLE 9. PARLIAMENTARY AUTHORITY.**
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5 The rules contained in the current edition of ~~Robert's Rules of Order~~ {blank} shall govern the Committee
6 in all cases to which they are applicable, except when inconsistent with these bylaws or with special rules of order
7 which the Committee may adopt.
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9 **ARTICLE 10. AMENDMENT OF BYLAWS.**
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11 These bylaws may be amended by the OLA Advisory Committee at its discretion and approval by the
12 City of Austin Parks and Recreation Department; which shall not take effect until that time. Amendments shall
13 not take effective unless approved by PARD.
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DRAFT

Item # 7

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 6-3-48 AND CHAPTER 25-8, SUBCHAPTER B, ARTICLE 1 OF THE CITY CODE RELATING TO TREE PROTECTION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. FINDINGS.

The City Council finds that:

- (1) The urban forest has social, ecological, cultural, economic, historical, and aesthetic benefits for the citizens of Austin.
- (2) A healthy urban forest enhances the health and welfare of the citizens of Austin.
- (3) The urban forest is an asset and important part of the City's infrastructure that city policy seeks to protect.
- (4) The health of the urban forest is entrusted to the City Council for the benefit of current and future citizens of Austin.
- (5) The potential for development to negatively impact the urban forest, including the largest and most significant trees, requires reasonable regulations.

PART 2. Section 25-8-602 (*Definitions*) of the City Code is amended to read as follows:

§ 25-8-602 DEFINITIONS.

In this article:

(1) HERITAGE TREE means a tree that has at least one stem with a diameter of 24 inches or more, measured four and one-half feet above natural grade, and is a species prescribed by rule as eligible for heritage tree designation.

(2)(4) OWNER includes a lessee.

(3)(2) PROTECTED TREE means a tree with a diameter [circumference] of 19 [60] inches or more, measured four and one-half feet above natural grade.

(4)(3) REMOVAL means an act that causes or may be reasonably expected to cause a tree to die, including:

- (a) uprooting;
- (b) severing the main trunk;
- (c) damaging the root system; and
- (d) excessive pruning.

PART 2. Section 25-8-603 (*Administration*) of the City Code is amended to read:

§ 25-8-603 ADMINISTRATION.

(A) A city arborist, appointed by the director of the Planning and Development Review Department, shall implement this article.

(B) The ~~[Watershed Protection]~~ Planning and Development Review Department shall adopt administrative rules for the implementation of this subchapter [to:].

(C) The rules shall:

- (1) describe methods to protect trees against damage during development;
- (2) identify actions that will constitute removal; [and]
- (3) identify the root areas that require protection against soil compaction or the effects of impervious paving;
- (4) identify the species of trees eligible for heritage tree designation; and
- (5) identify mitigation measures and methods of calculation for fiscal security to ensure performance of mitigation measures that may be required under article 1 of this subchapter.

PART 3. Section 25-8-604 (*Development Application Requirements*) of the City Code is amended by amending Subsection (C) and adding a new Subsection (D) to read:

(C) For an application for preliminary plan, final plat, or site plan approval that proposes the removal of a protected tree, the city arborist must review the

application and make a recommendation before the application may be administratively approved or presented to the Land Use Commission or city council.

- (D) For an application for preliminary plan, final plat, or site plan approval that proposes the removal of a heritage tree, the applicant must file a request for a variance from 25-8-641 before the application for preliminary plan, final plat, or site plan approval may be administratively approved or presented to the Land Use Commission or city council.

PART 4. Section 25-8-605 (*Waiver and Modification of City Requirements*) of the City Code is amended to read:

§ 25-8-605 WAIVER AND MODIFICATION OF CITY REQUIREMENTS.

- (A) If enforcement of a City department policy, rule, or design standard will result in removal of a protected or heritage tree, the ~~[Watershed Protection]~~ Planning and Development Review Department may request that the responsible City department waive or modify the policy, rule, or design standard to the extent necessary to save the tree.
- (B) The responsible City department may waive or modify the policy, rule, or design standard after determining that a waiver or modification will not result in a serious or imminent adverse effect.
- (C) The city manager shall resolve differences of opinion between the ~~[Watershed Protection]~~ Planning and Development Review Department and another City department under this section.

PART 5. Chapter 25-8, Subchapter B, Article 1 (*Tree and Natural Area Protection*) of the City Code is amended to add a new section 25-8-606 to read:

§25-8-606 ANNUAL REPORT.

The city arborist shall annually report to the Environmental Board and the Urban Forestry Board. The report shall include, but is not limited to, impacts to protected or heritage trees, tree promotional programs, and urban forestry planning efforts.

PART 6. Section 25-8-621 (*Permit Required for Removal of Protected Trees; Exceptions*) of the City Code is amended to read:

25-8-621 PERMIT REQUIRED FOR REMOVAL OF PROTECTED TREES; EXCEPTIONS.

(A) Except as otherwise provided in this section, a person may not remove a protected tree unless the ~~[Watershed Protection]~~ Planning and Development Review Department has issued a permit for the removal under this division.

(B) A person may, without a permit, remove a damaged protected tree that is a hazard to life or property if the tree is removed within seven days of being damaged. The ~~[Watershed Protection]~~ Planning and Development Review Department may extend this deadline for widespread and extensive storm damage.

(C) A person may, without a permit, remove a protected tree if the tree is identified for removal on an approved preliminary plan, final plat or site plan.

~~[(D) A person may, without a permit, remove a protected tree if the tree is identified for removal in a capital improvement project when the project is approved by council.]~~

PART 7. Subsection(C) of Section 25-8-622 (*Application for Removal*) of the City Code is amended to read:

(C) An application for removal of a protected tree must:

- (1) be filed with the director of the Planning and Development Review Department; and
- (2) include the information prescribed by the Administrative Manual.

PART 8. Section 25-8-624 (*Approval Criteria*) of the City Code is amended to read:

§25-8-624 APPROVAL CRITERIA.

- (A) The ~~[Watershed Protection]~~ Planning and Development Review Department may ~~[shall]~~ approve an application to remove a protected tree only after determining that the tree:
- (1) prevents reasonable access to the property;
 - (2) prevents a reasonable use of the property;
 - (3) is a hazard to life or property, and the hazard cannot reasonably be mitigated without removing the tree;
 - (4) is dying or dead;
 - (5) is diseased, and;

- (a) restoration to sound condition is not practicable; or
 - (b) the disease may be transmitted to other trees and endanger their health; or
- (6) for a tree located on public property or a public street or easement:
 - (a) prevents the opening of necessary vehicular traffic lanes in a street or alley; or
 - (b) prevents the construction of utility or drainage facilities that may not feasibly be rerouted.
- (B) If an application filed by a political subdivision of the state is approved under Subsection (A) (2), the Land Use Commission may, in its discretion, review the approval.
- (C) For an application to remove a protected tree located on private property, an applicant must request a variance, waiver, exemption, modification, or alternative compliance from the Board of Adjustment if the variance that would eliminate the reason for removal of the tree.
 - (1) The application to remove the protected tree may not be approved unless the request [variance] is denied.
 - (2) An application fee is not required for a variance, waiver, exemption, modification, or alternative compliance request required by this subsection.
 - (3) This subsection does not apply to an application that may be approved under Subsection(A)(3), (4), or (5).
- (D) The ~~[Watershed Protection]~~ Planning and Development Review Department shall [may] require mitigation ~~[, including the planting of replacement trees,]~~ as a condition of application approval. A removal permit may not be issued until the applicant satisfies the condition or posts fiscal security to ensure performance of the condition within one year.

PART 9. Section 25-8-625 (*Action on Application*) of the City Code is amended to read:

§ 25-8-625 ACTION ON APPLICATION.

- (A) The ~~[Watershed Protection]~~ Planning and Development Review Department shall take action on [approve or deny] an application to remove a protected tree:
 - (1) not later than the 10th working day after the complete application is filed; or
 - (2) if a variance, waiver, exemption, modification, or alternative compliance request is required by Subsection 25-8-624 (C) (*Approval Criteria*), not later than the ~~[55th day after the application is filed]~~ 10th working day after the request is denied.
- (B) ~~[If a variance request is required by Subsection 25-8-624 (C) (*Approval Criteria*), the Watershed Protection and Development Review Department shall notify the applicant of the 55-day review period.]~~
- ~~(C)~~ An application to remove a tree that is not associated with a pending subdivision, site plan, or building permit application submitted to the City is automatically granted if the ~~[Watershed Protection]~~ Planning and Development Review Department does not take action on [deny] the application before the expiration of the applicable deadline in Subsection (A).

PART 10. Section 25-8-626 (*Effective Date and Expiration of Approval*) of the City Code is amended to read:

§ 25-8-626 EFFECTIVE DATE AND EXPIRATION OF APPROVAL.

- (A) Approval of an application to remove a protected tree is effective immediately[:
 - ~~(1) on the third day after it is granted; or~~
 - ~~(2) immediately, if the application was approved under Subsection 25-8-624(A)(3),(4), or (5) (*Approval Criteria*).]~~
- (B) An approval to remove a protected tree expires:
 - (1) one year after its effective date; or

(2) for a development described in Subsection 25-8-621(C) ~~for (D)~~
(Permit Required For Removal Of Protected Trees; Exceptions), when the development plan expires.

PART 11. Chapter 25-8 Subchapter B, Article 1 (*Tree and Natural Area Protection*) of the City Code is amended to renumber Division 3 (*Shoreline Relocation; Lake Fill*) as Division 4 and add a new Division 3 to read:

Division 3. Heritage Trees.

§ 25-8-641 REMOVAL PROHIBITED.

- (A) Removal of a heritage tree is prohibited unless the Planning and Development Review Department has issued a permit for the removal under this division.
- (B) A permit to remove a heritage tree may be issued only if a variance is approved under Section 25-8-642 (*Administrative Variance*) or 25-8-643 (*Land Use Commission Variance*).
- (C) The requirements in this division apply to trees on private and public property. To the extent of conflict with another section of the Code, this division applies.
- (D) A person may, without a variance, remove a damaged heritage tree that is a hazard to life or property if the tree is removed within seven days of being damaged. The director may extend this deadline for widespread and extensive storm damage.

§ 25-8-642 ADMINISTRATIVE VARIANCE.

- (A) The director of the Planning and Development Review Department may grant a variance from Section 25-8-641 (*Removal Prohibited*) to allow removal of a heritage tree only after determining, based on the city arborist's recommendation, that the heritage tree:
 - (1) is dying or dead;
 - (2) is a hazard to life or property, and the hazard cannot reasonably be mitigated without removing the tree; or
 - (3) is diseased and:

- (a) restoration to sound condition is not practicable; or
- (b) the disease may be transmitted to other trees and endanger their health.

- (B) No application fee and no mitigation are required for a variance request under subsection (A).
- (C) The director of the Planning and Development Review Department may grant a variance from Section 25-8-641 (*Removal Prohibited*) to allow removal of a heritage tree associated with a subdivision, site plan, or building permit application submitted to the City only after determining, based on the city arborist's recommendation, that under the development plan submitted, removal of the heritage tree will result in the protection of the maximum number of trees on the site.
- (D) The director of the Planning and Development Review Department may grant a variance from Section 25-8-641 (*Removal Prohibited*) to allow removal of a heritage tree that is less than 30 inches in diameter measured four and one-half feet above natural grade only after determining, based on the city arborist's recommendation, that the heritage tree meets the criteria in Section 25-8-624 (A) (*Approval Criteria*) and that:
 - (1) removal of the heritage tree is not based on a condition caused by the method chosen by the applicant to develop the property; and
 - (2) the applicant has applied for and been denied a variance, waiver, exemption, modification, or alternative compliance from another City Code provision which would eliminate the need to remove the heritage tree, as required in Section 25-8-646 (*Variance Prerequisites*).
- (E) A variance granted under this section:
 - (1) shall be the minimum change necessary;
 - (2) shall require mitigation as a condition of variance approval for variances requested under subsections (C) and (D) of this section; and
 - (3) may not be issued until the applicant has satisfied the mitigation conditions required under this subsection (E) (2) or posted fiscal security adequate to ensure performance of the mitigation conditions not later than one year after issuance of the variance.

- (F) The director of the Planning and Development Review Department shall prepare written findings to support the grant or denial of a variance request under subsections (C) or (D) of this section.

25-8-643 LAND USE COMMISSION VARIANCE.

- (A) The Land Use Commission may grant a variance from Section 25-8-641 (*Removal Prohibited*) to allow removal of a heritage tree that is 30 inches or larger in diameter measured four and one-half feet above natural grade only after determining, based on the city arborist's recommendation, that the heritage tree meets the criteria in Section 25-8-624 (A) (*Approval Criteria*), and that:

- (1) removal of the heritage tree is not based on a condition caused by the method chosen by the applicant to develop the property;
- (2) the applicant has applied for and been denied a variance, waiver, exemption, modification, or alternative compliance from another City Code provision which would eliminate the need to remove the heritage tree, as required in Section 25-8-646 (*Variance Prerequisites*).

- (B) A variance granted under this section:

- (1) shall be the minimum change necessary;
- (2) shall require mitigation as a condition of variance approval; and
- (3) may not be issued until the applicant has satisfied the mitigation conditions required under this Subsection (B) (2) or posted fiscal security adequate to ensure performance of the mitigation conditions not later than one year after issuance of the variance.

- (C) Consideration of a variance under this section requires:

- (1) review by the Environmental Board; and
- (2) review by the Urban Forestry Board if the heritage tree is located on public property or a public street or easement.

§ 25-8-644 APPEAL.

- (A) An applicant may appeal denial of an administrative variance under section 25-8-642 to the Land Use Commission.

- (B) An appeal under this section requires:

- (1) review by the Environmental Board; and
- (2) review by the Urban Forestry Board if the heritage tree is located on public property or a public street or easement.

§ 25-8-645 APPLICATION FOR VARIANCE.

- (A) For a heritage tree located on public property or a public street or easement, an application requesting a variance to allow removal of the heritage tree may be filed by:

- (1) a City department, public utility, or political subdivision with the authority to install utility lines or other public facilities in or above the property, street, or easement; or
- (2) the owner of property adjoining the site of the tree.

- (B) For a heritage tree located on private property, an application requesting a variance to allow removal of the heritage tree may be filed by:

- (1) the owner of the property on which the tree is located; or
- (2) the city arborist, if the tree is seriously diseased or is a safety hazard.

- (C) An application requesting a variance to allow removal of a heritage tree must:

- (1) be filed with the director of the Planning and Development Review Department; and
- (2) include the fee prescribed by ordinance; and
- (3) include the information prescribed by the Administrative Criteria Manual.

- (D) The application fee is not required if the application is based solely on the criteria in Subsections 25-8-624 (A) (3), (4) or (5).

§ 25-8-646 VARIANCE PREREQUISITE.

- (A) If a variance, waiver, exemption, modification, or alternative compliance from another City Code provision would eliminate the need for a variance

from Section 25-8-641 (*Removal Prohibited*), before requesting a variance to allow removal of a heritage tree on private property the applicant must:

- (1) request a variance, waiver, exemption, modification or alternative compliance from the Code provisions that would eliminate the need to remove the heritage tree; and
 - (2) obtain a grant or denial of the variance, waiver, exemption, modification or alternative compliance that would eliminate the need to remove the heritage tree.
- (B) The request for a variance to allow removal of a heritage tree may not be considered unless the variance, waiver, exemption, modification or alternative compliance from other City Code provisions is denied.
- (C) The application fee for a variance from another City Code provision required under this section is waived.
- (D) This section does not apply to an application for a variance to remove a heritage tree based on the criteria in Subsections 25-8-624 (A) (3), (4) or (5).
- (E) The body considering the variance, waiver, exemption, modification or alternative compliance will consider the benefit of preserving the heritage tree in determining whether to grant or deny the request for a variance, waiver, exemption, modification or alternative compliance from another City Code provision.

§ 25-8-647 ACTION ON APPLICATION.

- (A) The director of the Planning and Development Review Department shall take action on a variance request to allow removal of a heritage tree:
- (1) not later than the 10th working day after the complete application is filed; or
 - (2) if a variance, waiver, exemption, modification or alternative compliance from another City Code provision is required under Subsection 25-8-646 (*Variance Prerequisite*), not later than the 10th working day after the request is denied.

- (B) If the application is based on a damaged heritage tree constituting an immediate hazard to life or property, the application shall be approved or denied within 24 hours and no application fee shall be required.
- (C) An application to remove a tree that is not associated with a pending subdivision, site plan, or building permit application submitted to the City is automatically granted if the director does not act on the application before the expiration of the applicable deadline.

§ 25-8-648 VARIANCE EFFECTIVE DATE AND EXPIRATION.

- (A) Approval of a variance request to allow removal of a heritage tree is effective immediately.
- (B) A variance to allow removal of a heritage tree expires:
- (1) one year after its effective date, provided that the mitigation conditions in the variance remain in effect until the conditions are met; or
 - (2) for an application that is associated with a pending subdivision, site plan, or building permit submitted to the City, when the development permit expires.

PART 12. Section 6-3-48 (*Review of Recommendation to Remove Protected Tree*) is amended to read:

§ 6-3-48 REVIEW OF RECOMMENDATION TO REMOVE PROTECTED OR HERITAGE TREE.

(A) Not later than the 10th business day before delivery of owner notification under Section 6-3-46 (*Notice of Abatement*), the urban forester shall submit to the city arborist a written request for review of removal of a protected or heritage tree under the jurisdiction of Subchapter B, Article 1 (*Tree and Natural Area Protection*) of Chapter 25-8 (*Environment*) of the Code.

(B) The city arborist shall respond to the urban forester with written comments not later than the 10th day after the date the request for review was submitted.

PART 13. This ordinance takes effect on _____, 2009.

PASSED AND APPROVED

_____, 2009

§
§
§

Lee Leffingwell
Mayor

APPROVED:

David Allan Smith
City Attorney

ATTEST:

Shirley A. Gentry
City Clerk

Item # 10

MOU SUMMARY SHEET

Project Name:		Ladybird Lake 4th/Pedernales Storm Drain Improvements - Supplemental	
Parkland impacted by Project:		Town Lake - Holly Shores Park	
Location of Parkland:		2615 Canterbury Street	
Type of Park Use Requested (Permanent/Temporary):		Permanent Drainage Easement, Temporary Workspace Easement	
Type of Impact to Parkland:		EXPLANATION	
		Trail Closure	
		Facility Closure/Partial Use	
	X	Open Land or Feature Closure/Partial Use	Permanent easement to repair existing storm drain pipe already discharging into park property, temporary easement to access work site and complete work in permanent easement.
		Revenue Limitation	
Estimated Size of Parkland Requested (sq. ft.):		Permanent -1,915 sq. ft; Temporary -10,505 sq. ft	
Estimated Start Date for Parkland Use:		March 2010	
Estimated Duration of Parkland Use:		90 calendar days	
Estimated Completion of Parkland Use:		June 2010	
Mitigation Proposed by PARD:		No fees - Work performed is improvement to parkland	
Requesting Dept. Point Of Contact:		Glen Taffinder, 512-974-3381	
PARD Point of Contact:		Ricardo Soliz - 512.974.9450	
Community Outreach Efforts Included:		Several meetings have been conducted as part of the main project. This portion is an add-on and is a repair of an existing system.	
MOU Draft		X	
Attachment "A" (Mitigation Calculations)		-	
Attachment "B" (Location Map)		X	

TOWN LAKE- 4TH STREET- PEDERNALES STORM DRAIN IMPROVEMENTS

TOWN LAKE - HOLLY SHORES EASEMENT REQUEST





Item # 11



City of Austin

NEWS RELEASE

Public Information Office

301 W. Second St., Austin, TX 78701

For immediate release

May 29, 2009

Contact: Victor Ovalle, Parks and Recreation Department, (512) 974-6745

Process under way to name grove of trees near City Hall

The City of Austin begins today the naming process for a prominent grove of oaks within a median at the confluence of South First and Cesar Chavez streets just south of Austin City Hall.

Today's announcement begins a 90-day period for public discussion about possible names for the 9,500 square foot piece of landscaped parkland.

The facilities naming ordinance allows the parkland to be named after an individual(s) (living or dead) or something other than an individual such as a place or natural feature. A suggestion for naming a facility must include:

- If an individual - A biographical sketch; a description of the individual's involvement in the community; and the individual's connection, if any, to the Austin park system.
- If other than an individual, include justification for the suggested name.

Deadline for submissions is Aug. 26, 2009. After the deadline, the Parks Board will call a public hearing on the suggested names and make recommendations to the City Council for final approval.

Nomination forms are available at the Parks and Recreation Department's Main Office, 200 S. Lamar Blvd.; by calling (512) 974-6716; or online at www.cityofaustin.org/parks/namingform.htm.

Forms may be returned:

- Online at www.cityofaustin.org/parks/namingform.htm.
- Submitted at the Parks and Recreation Department, 200 S. Lamar Blvd.
- Faxed to (512) 974-6756.
- Mailed to Facilities Naming Nomination, Attn: Parks and Recreation Department, Planning, Design and Construction; 200 S. Lamar Blvd.; Austin, Texas 78704.

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The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.



City of Austin

NEWS RELEASE

Public Information Office
301 W. Second St., Austin, TX 78701

*The City of Austin is committed to compliance with the Americans with Disabilities Act.
Reasonable modifications and equal access to communications will be provided upon request.*

Delgado, Susan

From: Soliz, Ricardo
Sent: Friday, May 29, 2009 1:45 PM
To: Delgado, Susan
Subject: FW: Hofmann Oaks application

Importance: High

Attachments: Application For Facility Naming (7).doc



Application For
Facility Namin...

This is the first one. Thank you.

Ricardo

-----Original Message-----

From: Soliz, Ricardo
Sent: Thursday, May 28, 2009 10:40 AM
To: Ovalle, Victor
Subject: FW: Hofmann Oaks application
Importance: High

Victor,

Please forward this request to name the Oak Trees in the median, which is parkland, in front of City Hall as Hofmann Oaks. This should follow the naming process that has a 90 day period for additional public input. The City's PIO office will send notice to the public before going to Parks Board and City Council for naming.

Thank you,

Ricardo Soliz

-----Original Message-----

From: s.leigh@mail.utexas.edu [mailto:s.leigh@mail.utexas.edu]
Sent: Sunday, May 17, 2009 7:38 PM
To: Soliz, Ricardo
Cc: lhg; danette
Subject: Hofmann Oaks application

Dear Ricardo,

Please find attached the application for the naming of the Oaks in across the street (Cesar Chavez) from City Hall for ex-council member Margret Hofmann. I will be the contact person for the Forestry Board. Please let me know if you have any questions.

With best wishes,
Shannon Halley

Application for New Park Naming

Proposed Name for the Park (grove of oaks): Hofmann Oaks

Location: Small grove of oaks directly south of City Hall on Cesar Chavez.

If proposing the name of an individual, include a biographical description of nominee: Margret Hofmann is best known as “the tree lady.” Margret presented one of the first successful cases for tree preservation to City Council in the early seventies when she laid on the table before council members a ten-foot string around which she had wrapped an enormous Live Oak to be removed for a single parking lot space. She went on to be elected to City Council herself in 1975, serving one term. She was co-author of the first tree preservation ordinance in Austin, helped found Think Trees! week and the COA Historic Registry of Trees, and continues to be actively involved in environmental and peace activism. Hofmann is a long-time member of the Friends Meeting House of Austin (Quaker church) and was featured in a two-page story in the Austin American Statesman, “Legacy of War,” by Brad Bucholz on March 11, 2007

Describe the individual’s involvement in the Austin community:

Marget Hofmann’s community activism began with efforts to encourage the City to install sidewalks in the 1950s so that parents could safely walk their children to school. She promoted environmental issues, such as the creek and tree preservation ordinances, in the 1970s as a Council Member and was active in protesting site clearing of large numbers of trees for development. Margret has received numerous awards and distinctions, including the Human Rights Award from the Church Women United of Austin. Margret is in her late eighties and resides in South Austin.

Describe the individual’s connection to the park or park system, if any:

Margret's tree preservation efforts are the primary reason this grove was preserved. Her legacy of tree preservation has greatly inspired the efforts to protect of the trees that provide the distinctive lush canopy of our city. That these oaks are located in front of City Hall, and that her preliminary passion resulted in efforts to preserve them rather than sacrifice them during the 1st street redevelopment, is an apt memorial for this distinguished citizen.

If proposing a name that is not an individual, summarize the reason for the name: n/a

Date: May 15, 2009

Name of requester: Urban Forestry Board (Keith Babberny, Nevic Donnely, Ryan Fleming, Shannon Halley, and H. Travis Gallo)

Address: Shannon Halley
2006 La Casa Dr
Austin, TX 78704

Phone Number:
512-565-0257

Please provide any additional information with the application, e.g., newspaper articles, letter of recommendations, etc. attached:

Direct questions to:
Ricardo Soliz
974-6765
Ricardo.Soliz@ci.austin.tx.us

Legacy of war

BYLINE: Brad Buchholz AMERICAN-STATESMAN STAFF

DATE: March 11, 2007

PUBLICATION: Austin American-Statesman (TX)

EDITION: Final

SECTION: Life & Arts

PAGE: K01

Margret Hofmann invited me to her home one day to tell me a story, a cautionary tale of war and peace, informed by her experience of growing up in Nazi Germany. We talked for hours that first morning, yet I left her little house in South Austin with the feeling I needed to know more. So I visited **Margret** again. And then again. And just one time more. . . .

Three years later, **Margret** and I are still talking, nowhere near the end of her story. I'm convinced, at this point, that it's not supposed to end. The two of us have been meeting, sharing, talking for so long that we now inhabit a story of our own, one that's destined to last until death. And because **Margret** is 81, with a failing heart, we share the reluctant conviction that day will come too soon.

"I feel a sense of panic sometimes," says **Margret**, as we sit at her kitchen table, the western twilight subdued by curtained windows. "Time is running out, and there is so much left for me to do."

Margret Hofmann isn't afraid of death, not any more. She experienced the horrors of World War II in the most personal way. Her Jewish mother died in the Theresienstadt concentration camp. **Margret** herself survived five major bombing raids in Germany - including the Allied firebombing of Dresden in February 1945. She understands what it is to carry a gas mask to school, to cower with strangers in a bomb shelter, to fear the Gestapo's knock at the front door.

From the beginning, I was touched by the heartbreaking details of **Margret's** story. Yet she was more interested in passing on what she sees as the moral lesson of her war-time experience: a call for pacifism. Spurred by what her children describe as "survivor's responsibility," she has been trying to convey this message of anti-militarism for most of her adult life.

Margret can't fathom how Americans can watch "Deal or No Deal" in blissful indifference as we wage war in Iraq. More than anything, she wants us to turn off the television set and pay attention - to our culture's propensity for violence, to our susceptibility to propaganda, to the perils of labeling any people as inferior, "evil" or unworthy of compassion. The echoes of history haunt her.

"Every war is different," says **Margret**. "But for every war there is the same question: Why? Why is this happening?"

I knew about **Margret Hofmann** long before I met her; she's lived in Austin for more than 50 years. **Margret's** a Quaker, a grandmother, an author and essayist and inexhaustible letter-writer. She was married for 27 years to Otto **Hofmann**, an acclaimed organ builder, now deceased. As a citizen activist, she picketed the Texas Theater to protest its "whites only" policy in the 1950s and championed the construction of public

sidewalks in the 1960s. **Margret** served a term on City Council in the mid-1970s, when she was known as the "Tree Lady" for her environmental passions.

Margret and I meet at her home once a month, sometimes once a week - and every time, I notice the scarred ground in her front yard where a great cottonwood once stood. I can feel the vibrations of her social convictions before I even walk in the door, from the bumper stickers on her little red car: "War is not the answer." "Food not Bombs." "Don't buy war toys." "Peace begins when the hungry are fed."

Margret strikes me as the quintessential white-haired Prussian grandmother, with the accent to match. There is a sternness in her bearing, a penchant for exactness and order, that tends to overshadow a deeper essence of kindness. Her living room feels like a library: so many books, videocassettes and maps. **Margret** and I always sit at her kitchen table, in the same wood-backed chairs.

I've come to learn that you don't really interview **Margret Hofmann**. Rather, you attend **Hofmann** Home School. Each visit, she greets me with "the stack": file folders filled with 60-year-old German newspapers or vintage World War II magazine articles, so that I might better understand the context of her experience. **Margret** wants me to know everything. She says the most profound things when I least expect it.

"I've never liked the word 'tolerance,'" she remarked one day, showing me mail about a humanitarian venture called the Wall of Tolerance. "I don't think we should tolerate each other in this world. We should embrace each other."

The tale **Margret** continues to share with me, in bits and pieces, is part war story, part Holocaust story, with a poignant twist. **Margret's** father was born Protestant, her mother Jewish - a circumstance that meant nothing for years, until the Nazis decided it mattered a great deal.

Like many Americans with complicated feelings about the war in Iraq, **Margret** knows what it means to inhabit a land between competing identities and allegiances. She knows the uncertain terrain between father and mother, Christian and Jew. And most of all she knows what it is to fear the Nazis who persecuted her mother while at the same time fearing the Allied warplanes that bombed her homeland.

"What does it mean to win a war? Everybody talks about that. But I've never understood exactly what that means," says **Margret**. "Does it mean we kill more people than the other side, or perhaps that we kill them faster? I think the only hope for humanity lies in creating an atmosphere, at every level, that makes violence less likely. Television, games, computer games, at every level. I don't know if we're prepared for that. Violence has such an attraction."

Fear

Margret Hofmann survived Dresden. She lived through the bombing that killed at least 25,000 people and incinerated the architectural gem of Germany in February 1945.

Margret remarked to me, once, that she had nightmares about fire for 20 years after Dresden. She saw the sky burn in Dresden. She saw charred bodies in trees.

Yet I find myself more affected by a subtler aspect of **Margret's** war experience - that is, the sensation of growing up in a landscape of fear, of watching her young parents, Friedrich and Frieda Schultze, and her older brother, Hans, grapple to live a "normal" life in a culture of increasing persecution.

"Whenever my father or anyone else at our table would be talking about a subject I had better not hear" - about the Nazis, or persecution - "my mother would tap her wedding

ring, hard, on the table. I still hear it," **Margret** told me one night, tapping her knuckle on the kitchen table in a slow, determined cadence. This was a signal from wife to husband to shift the conversation from German into French, a language the children couldn't understand.

"My parents were worried that their kid might to go to school the next day and say, innocently, 'Oh, do you know what my daddy said last night? He made such a funny joke.' The other kids, wanting to feel important at home, might repeat it to their parents. Next comes the knock at the door . . . the Gestapo . . . and I would have had to live with the knowledge of that for the rest of my life."

Margret was born in Berlin in 1925, the year Adolf Hitler wrote "Mein Kampf." Her young parents lived well-to-do, secular lives in what had been an assimilated German culture. But by 1935, marriage between Christians and Jews was banned by the government. **Margret** was 13 and living with her family in Düsseldorf on Nov. 9, 1938, Kristallnacht, "the night of broken glass," in which Nazis burned synagogues, smashed into the homes of Jewish families and ransacked their businesses. On Kristallnacht, religious hatred became a sanctioned act; it was legal and overt.

The Nazis burst into the Schultzes' home past midnight. **Margret**, asleep in a back room, has no memory of it. But she does remember the next morning.

"I walked into my mother and father's room before I left for school, just as I always did, just to say goodbye," says **Margret**. "I could tell right off that something was wrong, because my mother was crying, sitting on the bed crying."

By the time **Margret** returned home from school, Frieda Schultze had packed in a rush and caught a train to the family's first home in Berlin. Was it by command? Or by agreement? **Margret** would never know. Clearly, however, her parents had reached the sudden decision to divorce, thus severing her mother's Jewish heritage from the family.

"My mother might have been protected more had my parents stayed married. But this is with the wisdom of hindsight," says **Margret**. "On the other hand, my father would have been reduced to the level of bookkeeper, which meant he could not provide for us, as well as some of our Jewish relatives who had no means of income any more, because Jews were not allowed to work."

Margret lived with her father in Düsseldorf in the first years after Kristallnacht, visiting her mother on special occasions. In a pragmatic act of self-preservation, **Margret's** father had her baptized Catholic. She yearned to belong in a culture that prized conformity, to the point of wanting to join the Hitler Youth. "I was the only one in my class who wasn't in the Hitler Youth," she says. "I just wanted to go camping . . . and I was left out."

In the meantime, Frieda Schultze lived a haunted life of watching and waiting in Berlin. As the mother of half-Aryan children, she was an unwitting recipient of "second-wave" Jewish privilege. She didn't have to wear the yellow star right away; she wasn't assigned to forced labor right away; and she wasn't summoned to board the first trains to the camps.

In 1941, Frieda's brother Heinrich and his wife and daughter were sent to the concentration camp in Lodz, Poland, never to be seen again. The same week, **Margret's** aunt Hertha received her deportation orders. Hertha packed her bags, got ready to go. But upon hearing the destination - Riga, near the Baltic Sea - she committed suicide rather than board the death train.

"It was fairly well known that the people killed at Riga would have to dig their own grave, little by little, and then get dumped into it," says **Margret**. "So we were glad for that, that she committed suicide - but furious, too, for a system that makes you glad that a person commits suicide."

Bombs

On a misty, chilly night in May, **Margret** and I set aside our kitchen-table routine to take in "Sophie Scholl: The Final Days" - an Oscar-nominated film about the White Rose resistance movement, set in Germany in 1943. **Margret** knew the storyline well: It was national news during her youth.

"Sophie Scholl" documents the last days of Munich college students who circulate underground leaflets protesting the German war effort. Within a span of eight days, the students are caught, tried for treason and beheaded. When the lights came up at the end of the film, **Margret** scanned the half-empty theater, seeing only the vacant seats. "So few people," she said softly, wishing all of Austin could have been here. "So few people." As we drove home in the dark, the road glassy from rain, **Margret** complimented the physical accuracy of the movie, down to the authentic lettering on the air raid shelters. There was just one thing they missed, said **Margret**. The tone of the air raid sirens. "It's a little thing," she said. "But they got it backward." In a real raid, said **Margret**, there were two different siren calls. As the planes approached, the siren was shrill, an "up-and-down" sound. And when the bombing threat had passed, the siren was level and flat.

"I had a hard time, when I first came to America, whenever I heard an ambulance - because that siren sounds like the first air-raid call," said **Margret**, as the two of us looked straight ahead at the road. "I worked at a hospital. I'd hear that siren. I remember one time, in the middle of the night, waking up screaming. It was the ambulance. The sirens."

Since that night, **Margret** has described what it was like to seek refuge in shelters or the basements of strangers in Düsseldorf, Aachen, Krefeld and Dresden. When bombs exploded in a river, the ground would roil for miles around. Usually the bombs fell in chains of five or six. In the shelters, **Margret** would count to herself as the bombs approached - two, three, four - and measure in her mind the distance between the blasts. Hers was a gruesome calculus. If there's a sixth bomb in the chain, we're going to get hit.

"You look at your watch the whole time," she says. "You know when you get to 45 minutes, you've made it. And all you think about, other than surviving, is now this is going to qualify as a big raid, which means we're going to get 30 grams of coffee and 100 grams of extra meat."

Margret's bomb shelter experience has instilled in her a disdain for all things military, to the point that she believes there is no such thing as a "good" war. Several times, I have raised the question: "Do you believe in any circumstance in which military force is justified?" **Margret** was present, after all, when the Dalai Lama made the point in Austin almost two years ago that the Allied intervention against Hitler in World War II may have been such an example.

Margret deflects the question, always, even as she recognizes that she (as a half-Jew) had been marked by Hitler for sterilization or detention in the event of an Axis victory.

She does not see the D-Day invasion of 1944 as a "good" day for humankind, even knowing that the fate of millions of persecuted Jews were hanging in the balance. Instead, she holds fast to core biblical conviction: "Thou shalt not kill." She says the idea of "solving things by dropping bombs on civilians and ruining their outlook forever" - in Iraq, or in Germany - isn't worth the price. "Why do we think violence against violence is the only way?" **Margret** asks.

The survivor of Dresden sees the patriots' parade of weapons and missiles and soldiers in any nation as an obscenity. "Why do we not have a parade of teachers or doctors?" says **Margret**, though two of her grandchildren have served in Middle Eastern war zones since Sept. 11, 2001. "Why does it always have to be about how strong we are, or our capacity to destroy? Why can't it be about how smart we are? Or how compassionate we are?"

Train to Leitmeritz

On one of my first visits, **Margret Hofmann** showed me an old photograph - a black-and-white picture that defines the interior push-and-pull of her World War II existence. It's a snapshot of her standing before a wildly baroque column on the grounds of the Zwinger palace in Dresden. The year: 1944.

Margret is smiling in the photo. It's her first day living in Dresden, and she's overwhelmed by the city's beauty. **Margret** is a beauty, too. She is 18 in this picture, brunette and brown-eyed, dressed in a blue-and-white skirt, a fitted jacket and a wide-brimmed two-tone hat.

"How is it possible?" **Margret** sighs, looking at the photo. "How in the world can that girl be smiling?"

Margret can't help but notice, now, that the coral necklace she's wearing in the snapshot belonged to her mother - who weeks before had been deported to the concentration camp of Theresienstadt in occupied Czechoslovakia. And she can't help but focus, now, on that navy-colored coat - a jacket that once belonged to a beloved family friend named Annemarie Herzfeld, who in 1941 was sent to die in a concentration camp in Minsk. Sixty years later, **Margret** aches at the dissonance implicit in that photo: the young woman smiling at the world in glorious Dresden, even as she's wearing the clothes of the dead.

"It bugs me, to an extent, how much I enjoyed my time there," she says. "Dresden was the epitome of a glorious place, an un-bombed city. There were still beautiful buildings, still music to be heard. And all this time, I knew my mother was in Theresienstadt. It was crazy, just crazy."

Late last year, **Margret** pulled out some old family photo albums - allowing us to slip back in time and consider the faces of loved ones killed in the Holocaust. **Margret** has dozens of photos of her mother, Frieda, and I can't take my eyes off her. She's a slight woman, smaller than **Margret**, with wavy dark hair. In the photos from 1941 and 1942, I think I recognize palpable fear in her eyes.

Frieda Schultze liked to write poetry, and **Margret** has some of her work. One day, she showed me this one - written in German, on typewriter - that Frieda mailed to her husband in 1942. It reads:

Surely your path will not as certainly lead you into disaster

As mine will take me, and there is nothing we can do.

The God who breathes life, takes and gives,

Will not explain.

He hears thanks and curses, and on spins the earth
Into eternity with pain and sorrow. With our meager strength
We can do nothing.

It is no use. Fate overtakes us in the end
And creates the creature God created.

And all that's left, since Eden

The same painful quest which yields no answer;

Why, why O Lord – But God is mute.

Frieda Schultze was sent to the Theresienstadt camp in February 1944. **Margret** had a chance to say goodbye, in Berlin, while her mother was awaiting transport at a Jewish Assembly Center. They talked about little things, whether it was wiser to take bread or a sweater. Her mother admitted she was afraid.

Early in the war, the Nazis promoted Theresienstadt as a camp for "privileged" Jews - a self-contained village, with shops and stores, almost like a spa. Their portrayal was so persuasive that some actually paid for the luxury to go there. But in truth, Theresienstadt was primarily a way station for Auschwitz and execution. Less than 8 percent of the 144,000 Jews interned in Theresienstadt during World War II would survive. **Margret's** mother died there, of diphtheria, in August 1944, though **Margret** wouldn't know her mother's fate for certain until the war was over.

For a time, Frieda Schultze wrote her family from the camp, once wondering why her children didn't write back. But **Margret** and her brother had been told it was dangerous to do so. They had destroyed most of their mother's old letters, seeking to conceal their Jewish connection.

But **Margret** couldn't deny it forever. Not even in lovely Dresden.

And so it was on a clear, cold Sunday morning - "I think it was maybe January 1945" - that she boarded an early train in Dresden and headed east. Just to see how close she could get to Theresienstadt.

"I just wanted to see," says **Margret**. "I wanted to see where she was, where she'd been." **Margret** knew she'd never get there. But this journey had nothing to do with logic. It was a commitment from somewhere deep in her body.

Margret left with no plan, other than to ride to Leitmeritz - the closest town to the camp - and start walking. From the Leitmeritz station, she headed west, over the Elbe River, and walked a one-lane path through farm country in the direction of Theresienstadt. The fields were dry. Cold as it was, there was no snow.

"I didn't know at all what to look for," she says. "I remember the crisp. The blue sky. It was so cold."

Short of Theresienstadt, **Margret** came upon a German guard at a traffic stop, though the road was practically deserted. **Margret** played nice, said hello, sensed that there was no way to proceed. Besides, time was running short. She had to work the next day, and the last train home left early.

So **Margret** turned around and walked back to Leitmeritz.

"I can't tell you exactly what I was thinking," says **Margret**. "Probably something you'd think of as very unlikely. I may well have been thinking, 'I've been walking two hours. I'm walking down the heels of my shoes, and (in a time of war) there is no way to get them fixed. 'How am I going to get them fixed?' "

On the train ride home, **Margret** shared a compartment with two elderly women. She remembers one of them gesturing to the window, and saying something like, "Ah. That's where they hanged the Jews. They should hang them all."

Words

Margret loves language, pays close attention to words. So it's no surprise that one of her great passions is Scrabble, the board game. Sometimes, she plays a bilingual version with her son Steve.

"The only rule is that it's not a competitive game," she says. At **Margret Hofmann's** house, Scrabble is constructive, collaborative, affirming. The point is to help your partner build the best words. It says a lot about **Margret's** world view. I held off playing for the longest time - but just before Christmas, I suggested a game, at her table.

House rules dictate the person who can form the longest word on the opening draw gets to play first. So I set mine down on the board: E-V-O-L-V-E. It triggers a classic

Margret response.

"If either one of us had an 'R', we could place it in front of the 'E,' to spell R-E-V-O-L-V-E," she said, a smile in her eyes, thinking ahead to the next play. "And if we had two Rs, we could play one in front and one in back, for R-E-V-O-L-V-E-R.

"Well, I don't have two R's," she went on. "And since I'm a pacifist, I wouldn't play them, anyway."

Over the past three years, **Margret Hofmann** has opened a world to me. Although I'm not sure she believes me, I knew a good bit about the Holocaust before we met. I have watched the nine hours of "Shoah," twice. I've carried Anne Frank's diary with me into her family's Amsterdam hideout. I've stood before ovens at Dachau. But nothing - nothing - matches the experience of looking into the eyes of a woman who knows, especially in an age when extremists preach that the Holocaust was a myth.

"Your story is in my blood," I tell her. At the same time, I've apologized to her, in advance, for my inability to capture her story in all its breadth on a few pages of newsprint. I know too much now.

It's OK, she says. So long as you get the message. . . .

"The Holocaust happened in a civilized country, a country that produced Beethoven and Goethe," says **Margret**. "That's the scary thing. There was no protection from propaganda. My greatest concern is how easy it is to persuade people that 'you must kill.' And then to call it patriotic? It's an outrage."

On the Scrabble board, **Margret** lays down a kind word: "dreams." Without talking about it, we make it a point to play affirming words that express our greater hope for the world. Neither one of us can bear to place the letter "B" before E-A-S-T. I draw the exact letters for the word P-E-A-C-E on my pallet. I want to surprise **Margret** with the play, figuring it marks the perfect ending - but it's too late in the game, the board is too jammed.

I finally have to tell her: "I've got it right here! And I can't put it down!"

"That's all right," she says. "All that matters is you wanted to play it."

So we play out the game, **Margret** and I - putting down words, guided by good intentions, grateful that the story that matters most is not yet over.

bbuchholz@statesman.com; 912-2967.

Jay Janner photos AMERICAN-STATESMAN

Margret Hofmann's journey from young immigrant, above, to 81-year-old peace activist has been filled with personal suffering and global awareness.

Hofmann wears her convictions on her sleeve - or on her lapel, in this case. The former Austin City Council member was honored last year during a human rights ceremony at St. Peter's United Methodist Church.

The pictures in this book about the bombings of Dresden, Germany, during World War II are images that live in **Hofmann's** mind's eye. She survived five air raids while living in Germany as a girl.

Linda Keer

Margret Hofmann's 'Think Trees' mantra was a big part of her term on Austin's City Council in the 1970s. She was known as the 'Tree Lady' for her environmental passions.

Hoffman keeps extensive scrapbooks of her life, including times spent with brother Hans Schultze in Germany.

Hofmann's father, Friedrich Schultze, at left with **Hofmann**, and her mother, Frieda, below, divorced after Nazis burst into their home during Kristallnacht and terrorized the family.

Hofmann's mother, Frieda Schultze, died of diphtheria in 1944, while living in the Theresienstadt concentration camp.

Jay Janner photos AMERICAN-STATESMAN

Alexa Haverlah, 11, celebrates with her grandmother **Margret Hofmann** after **Hofmann** was honored with a human rights award in October.

Hofmann is a Quaker and a staunch advocate for peace no matter what the provocation.

Hofmann's little red car carries her anti-war sentiments around town on its bumper.

In one of **Hofmann's** scrapbooks is a photo taken by her Jewish mother of a sign displayed in Germany. The translation serves as an example of what Jews endured daily in the early part of last century.

Hofmann posed for this photo on her first day in Dresden. She was dressed in a jacket that belonged to a family friend who was sent to a concentration camp, and in a necklace that was her mother's.

Item # 13

Staff Proposal for Bull Creek District Park

Staff have reviewed public comments from multiple sources:

- Environmental Board staff briefing (08/19/2009)
- Parks Board (08/25/2009)
- Joint sub-committee of the Parks and Environmental Board (08/31/2009)
- Comments associated with media postings
- Direct communications from citizens
- Focus group conducted by the community engagement coordinator (09/09/2009)

WPD and PARD present the following alternative proposal for consideration.

1. Close Bull Creek District Park in November 2009 for restoration project. Monitor water quality during closure.
 - Staff will include public on restoration project design
 - Park closure estimated to last 6 months, and will be done in coordination with low water crossing improvements to minimize area disturbance
 - Park closure allows for crews to safely conduct work in the park
 - Park closure will provide time for new vegetation to be established
 - Park closure provides a monitoring baseline under "minimal impact" conditions. If water quality does not improve, staff will continue source investigations
 - Park closure provides time for aquatic system to "reset" with reduced fecal contamination loading
2. PARD to open off leash area in Emma Long by December 2009
 - Additional off leash area will help alleviate over crowding at other off leash sites during closure of Bull Creek District Park
 - Emma Long provides an off leash area with water access. Although off leash areas in riparian zones are out of compliance with recommendations from WPD for future OLAs, this replacement is offered to satisfy citizen request for substitute area equivalent to Bull Creek site
 - Water quality impacts from off leash uses in Emma Long are reduced because of the high volume and flow of Colorado River
 - PARD to create process for off leash users to access Emma Long without the standard entrance fee, potentially in conjunction with off leash licensing (see #4)
3. PARD to implement increased enforcement of park rules
 - Short-term: PARD to work with APD park units to improve enforcement of existing park rules
 - Long-term: PARD to implement Park Ranger Program for increased enforcement (goal May 2010)

- Staff to investigate additional avenues for enforcement in conjunction with Law Department, Off Leash Task Force and public outreach staff.
4. PARD, the citizen Off Leash Task Force, and animal control staff to pursue additional source of funding via fee or licensing programs, with recommendations due January 2010
 - Additional funding needed to support maintenance and enforcement activities in off leash areas
 - Additional dog licensing requirements to use off leash areas could be a mechanism to deliver education and new revenue
 5. Following restoration, open Bull Creek as on-leash only park (projected spring 2010) for a 6 month evaluation period; continue water quality monitoring
 - On-leash use will be allowed if contact recreation standards are met following park closure
 - Time period for on leash use evaluation may need to be extended if weather conditions do not provide sufficient time period for assessment under normal flows
 - Staff will develop measurement methods to assess success of park land and riparian area restoration
 6. Evaluate monitoring results of on-leash only use in a public process to determine appropriate long-term allowable uses in the park (projected fall 2010)
 - Long-term allowable uses may include prohibition of dogs in the park, continued on-leash use, or program for off leash use evaluation.

Public Comments on Staff Proposal for Bull Creek Restoration

Summary of Comments:

Source	# supporting removal of off leash use of park	# supporting continued off leash use of park
Staff Briefings	10	28
Emails and Letters	10	15
Media Comments	37	42

Comments During Staff Briefings to Boards

Date	Name	Notes
08/19/09	Karen Sirone	Park needs a lot of energy, don't do restoration if you can't keep it protected from dogs.
08/19/09	Debra Bailey	COA is autocratic, already decided what policy is, need enforcement, Boulder Tag program, more OLA's not less.
08/19/09	Kelly ???	More OLA's, presented petition w/396 signatures, equitable solution for all.
08/19/09	Melanie ???	Improved poop situation lately, need more enforcement, loss of OLA will effect a lot of people
08/19/09	Kyle Allen	Not enough OLAs now, dogs need water (heat), we already solved bacteria problem, no investment by city (lots by BCDOG), leashes won't solve poop problem, BC not a swimming area anymore, find equitable alternative.
08/19/09	Rob Gould (I think)	Must enforce current scoop laws, driving to far away OLA's is no good, park is a gem
08/19/09	Paul Jordan	BCDOG is doing only work in park, our data is misleading (we want dogs out and have biased interpretation).
08/19/09	Chris Grove	City needs to decide what park is to be, don't invest in restoration if you are going to let dogs back in, Dog leash is compromise
08/19/09	Debbie Allison	I need OLA's cuz I have lots of dogs (can't walk them all), thinks it's a sewage problem.
08/19/09	Skip Cameron	No investment by COA in park, let us continue our work.
08/19/09	Karen Blizzard	Dogs need trails and water, BC is BS for dogs, leash won't solve poop problem.
08/25/09	Debra Bailey	No meetings with stakeholders
08/25/09	Ron Coldiron	Supports plan to re-veg and ban on OLA when water quality is threatened
08/25/09	Kyle Allen	Not enough OLAs now, need more near water
08/31/09	Kyle Allen	Not enough OLAs now, we already solved bacteria problem, no investment by city (lots by BCDOG), water dog parks are most popular, COA made this decision months ago (april)
08/31/09	Debra Bailey	Already decided what policy is long ago, we already solved problem, need enforcement, Boulder Tag program, more OLA's not less.
08/31/09	Karen Sirone	Park needs a lot of energy, don't do restoration if you can't keep it protected from dogs, COA doesn't owe dogs anything
08/31/09	? O'Leary	Park is in bad shape, enforce rules, fix up park and keep dogs from degrading it
08/31/09	Brian Hingle	Closing OLA wrong action, need more OLAs and Bull

Date	Name	Notes
08/31/09	Kelly Kaylan	Restoration won't solve problem, lots of sources of E. coli, trees are threatened, push back deadline and take time to make right decision
08/31/09	Lisa Tanner	Dog owners count, OLA community would be degraded by this action, let us continue our work
08/31/09	Richard Blount	Dogs ruined park for my family
08/31/09	Camille Hemlock	Leash won't solve poop problem, better than it used to be, put leash on swimmers
08/31/09	Ed Schwartz	special place, keep it as is.
08/31/09	? Jones	Lives on L. Austin, Leash won't solve problem, great location where it is
08/31/09	Chris Demick	It is now a dog park, \$200k wasted if you don't get the dogs out, env. Sensitive area can't support dog use, special/rare place
08/31/09	Linda Deming	Rehab park and put dogs on leash, reduce density/use of park to sustainable level, leave no trace, for our grandkids
08/31/09	David Cormack	Best place for dogs in Austin, we do all the work.
08/31/09	Chris Bounce	Zilker for dogs, give dog owners a nice park, PARD never supported BC as swimming area
08/31/09	Melody Lambert	Degradation is from dogs, people and drought, development in shed is problem, Keep off leash use during week, on leash on weekends, separate picnikers from dogs, fix "Skips loop"
08/31/09	Susan Adams	Moved to area for OLA, dog pop is growing, institute a Boulder Tag program
08/31/09	Chris Rushough (?)	Park plaque to Linda, dog-lover, lots of places to swim, no place like this for dogs
08/31/09	Nick Clausen	I prefer dogs, but this use isn't compatible with creek/environment, move it somewhere else.
08/31/09	Gary Pratt	Neighbor, Austin isn't what it was 40 years ago, look at Fort Woof, people and pets together.
08/31/09	Alise Spence	Neighbor, OLA's enhance quality of life, too much pressure on parks already (don't close one), dog joy is only off-leash.
08/31/09	Ron Coldiron	Over crowded, need to restore and protect park, my neighbors won't go there anymore.
08/31/09	Rob Gould (I think)	Weird Austin is a dog friendly Austin, lots of apt dwellers who need OLA's, more kill shelters if we reduce OLA's
08/31/09	Skip Cameron	COA has done nothing, E.coli might not be from dogs, we already solved problem, support Boulder Tag program, more money for enforcement
08/31/09	Karen Blizzard	OLAs are important, dogs need water access, parks are loved to death
08/31/09	Susan Roberts	Solve problem with creative solutions that work for everyone, don't push problem to another park
08/31/09	Scott Johnson	Citizens need to get involved with City budget process

Item # 14

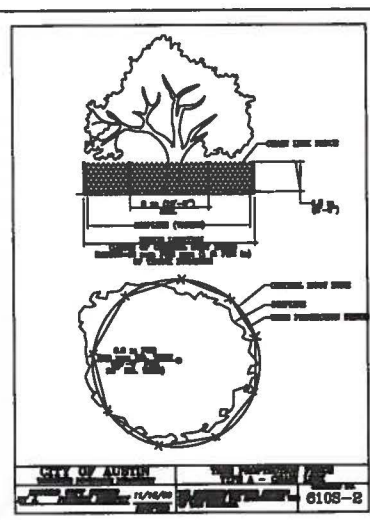
REVISIONS						
NO.	DESCRIPTION	REVISION SHEET NO.	TOTAL # SHEETS IN PLAN SET	NET CHANGE SHEET COVER	SITE MAP COVER	% SITE MAP COVER

CORRECTIONS						
NO.	DESCRIPTION	REVISION SHEET NO.	TOTAL # SHEETS IN PLAN SET	NET CHANGE SHEET COVER	SITE MAP COVER	% SITE MAP COVER

APPENDIX F-1: EROSION CONTROL NOTES

1. The contractor shall install erosion/sedimentation controls and tree/natural area protective fencing prior to any site preparation work (clearing, grubbing or excavation).
 2. The placement of erosion/sedimentation controls shall be in accordance with the Environmental Criteria Manual and the approved Erosion and Sedimentation Control Plan.
 3. The Placement of tree/natural area protective fencing shall be in accordance with the City of Austin standard Notes for Tree and Natural Area Protection and the approved Grading/Tree and Natural Area Plan.
 4. A pre-construction conference shall be held on-site with the contractor, design Engineer/permit applicant and Environmental Inspector after installation of the erosion/sedimentation controls and tree/natural area protection measures and prior to beginning any site preparation work. The contractor shall notify the Watershed Protection and Development Review Department, 974-2270, at least three days prior to the meeting date.
 5. Any major variation in materials or locations of controls or fences from those shown on the approved plans will require a revision and must be approved by the reviewing Engineer, Environmental Specialist or City Arboretist as appropriate. Major revisions must be approved by the Watershed Protection and Development Review Department. Minor changes to be made a field revisions to the Erosion and Sedimentation Control Plan may be required by the Environmental Inspector during the course of construction to correct control inadequacies.
 6. The contractor is required to inspect the controls and fences at weekly intervals and after significant rainfall events to insure that they are functioning properly. The person(s) responsible for maintenance of controls and fences shall immediately make any necessary repairs to damaged areas. Silt accumulation at controls must be removed when the depth reaches six (6) inches.
 7. Prior to final acceptance by the City, haul roads and waterway crossings constructed for temporary contractor access must be removed, accumulated sediment removed from the waterway and the area restored to the original grade and revegetated. All land clearing debris shall be disposed of in approved spoil disposal sites.
 8. All work must stop if a void in the rock substrate is discovered which is: one square foot in total area; blows air from within the substrate and/or consistently receives water during any rain event. At this time it is the responsibility of the Project Manager to immediately contact a City of Austin Environmental Inspector for further investigation.
 9. Permanent Erosion Control: All disturbed areas shall be restored as noted below.
 - A. A minimum of four inches of topsoil shall be placed in all drainage channels (except rock) and between the curb and right-of-way line.
 - B. The seeding for permanent erosion control shall be applied over areas disturbed by construction as follows:
 1. From September 15 to March 1, seeding shall be with a combination of 2 pounds per 1000 SF of white Bermuda and 7 pounds per 1000 SF of winter rye with a purity of 95% with 90% germination.
 2. From March 2 to September 14, seeding shall be with hulled Bermuda at a rate of 2 pounds per 1000 SF with a purity of 95% with 85% germination.
 - A. Fertilizer shall be a pelleted or granular slow release with an analysis of 15-15-15 to be applied once at planting and once during the period of establishment at a rate of 1 pound per 1000 SF.
 - B. Mulch type used shall be hay, straw or mulch applied at a rate of 45 pounds per 1000 SF.
 - HYDRAULIC SEEDING:
 1. From September 15 to March 1, seeding shall be with a combination of 1 pound per 1000 SF of white Bermuda and 7 pounds per 1000 SF of winter rye with a purity of 95% with 90% germination.
 2. From March 2 to September 14, seeding shall be with hulled Bermuda at a rate of 1 pound per 1000 SF with a purity of 95% with 85% germination.
 - A. Fertilizer shall be a water soluble fertilizer with an analysis of 15-15-15 at a rate of 1.5 pounds per 1000 SF.
 - B. Mulch type used shall be hay, straw or mulch applied at a rate of 45 pounds per 1000 SF, with a tackifier at a rate of 1.4 pounds per 1000 SF.
 - C. The planted area shall be irrigated or sprinkled in a manner that will not erode the topsoil, but is sufficiently soak the soil to a depth of six inches. The irrigation shall occur at ten-day intervals during the first two months. Rainfall occurrences of 1/2 inch or more shall postpone the watering schedule for one week.
 - D. Restoration shall be acceptable when the grass has grown at least 1 1/2 inches high with 95% coverage, provided no bare spots larger than 16 square feet exist.
 - E. When required, native grass seeding shall comply with requirements of the City of Austin Environmental Criteria Manual.
10. Developer information:

Owner: Greg and Patti Bell, 4402 Aqua Verde, Austin, TX 78746
 Owner's representative responsible for plan alterations:
 Greg and Patti Bell, 4402 Aqua Verde, Austin, TX 78746
 Person or firm responsible for erosion/sedimentation control maintenance:
 Greg Bell, Phone #512-567-7650
 Person or firm responsible for tree/natural area protection maintenance:
 Eric Moneland, Phone #512-567-7650
11. The contractor shall not dispose of surplus excavated material from the site without notifying the Watershed Protection and Development Review Department at 974-2270 at least 48 hours prior with the location and a copy of the permit issued to receive the material.



SHEET TITLE

COVER, NOTES & DETAILS
 SITE PLAN, BOAT DOCK PLAN & ELEVATIONS

DESIGNED BY:

Date

Watershed Protection and Development Review Dept. Date

Permit Number



AUPPERLE COMPANY
 Engineering, Planning & Development Services
 2219 Westlake Drive #110, Austin, Texas 78746 512 329-8241
 Texas Board of Professional Engineers Registration Number F-1994

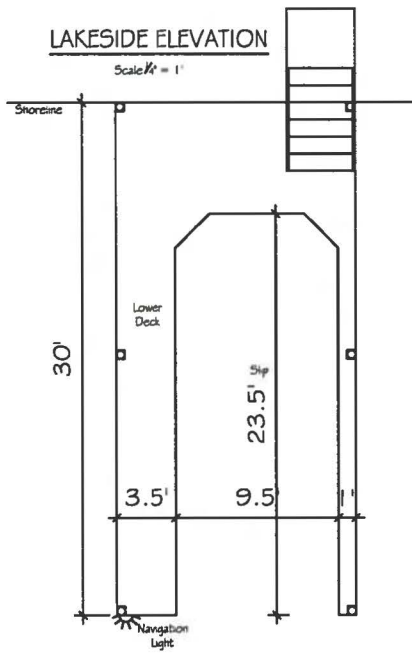
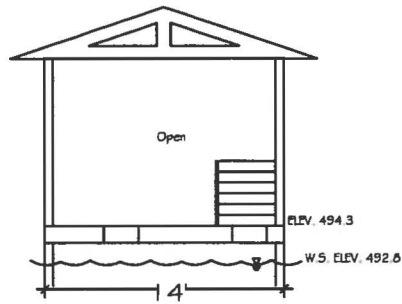
4410 Rivercrest Drive
 Cover, Notes & Details

4410 Rivercrest Drive
 DATE: Aug 7, 2009
 SHEET 1 of 2

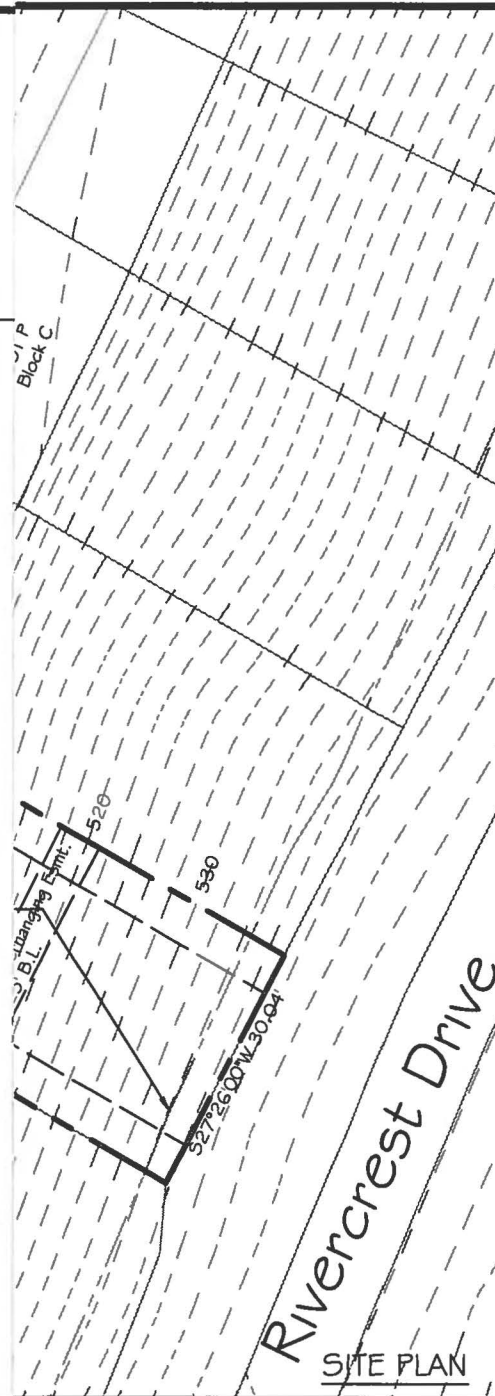
C1

SP-2009-022905

SP-2009-022905 4410 Rivercrest Drive Boat Dock



FLOOR PLAN LOWER DECK
Scale 1" = 5'



NOTES:

1. Per LDC Section 25-2-1175 navigation lights must have a two-bulb fixture, with two working light bulbs rated between 7-1/2 and 25 watts inclusive. Light bulbs or bulb covers must be amber, and white light may not radiate from the fixture. Weatherproof lamp holders and junction boxes are required. Each light fixture must be wired with a switch operated by a photoelectric cell so that the lights will operate automatically during the hours that the dock is required to be lighted by this section.
2. All access for construction activities will be by water.
3. All piles will be 6-5/8" driven steel piles. All piles will be driven to 0.5" refusal per blow.
4. There are no trees equal to or greater than 8-inch in diameter within the limits of construction.

All responsibility for the adequacy of these plans remain with these plans, the City of Austin must rely upon the adequacy



AUPPERLE COMPANY
Engineering, Planning & Development Services
2219 Westlake Drive #110, Austin, Texas 78746 512 329-8241
Texas Board Of Professional Engineers Registration Number F-1994

4410 Rivercrest Drive
Site Plan, Boat Dock Plan & Elevations

4410 Rivercrest Drive
DATE: Aug. 7, 2009
SHEET: 2 of 2

C2

SP-2009-022905

SP-2009-022905 4410 Rivercrest Drive Boat Dock

August 31, 2009

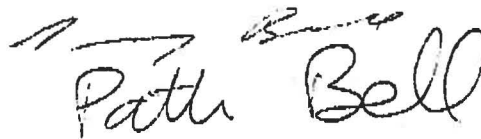
To Whom It May Concern:

We, the owner of the lot at 4412 Rivercrest Drive, which is next door to 4410 Rivercrest Drive, do hereby give consent to the owners of 4410 Rivercrest Drive to build a new boat dock within 10 feet of our common property line without regard to any setbacks that may be in place with the city of county regulations.

Sincerely,

Greg & Patti Bell

4402 Aqua Verde Drive
Austin, TX 78746

A handwritten signature in black ink, appearing to read "Patti Bell". The signature is written in a cursive, flowing style. Above the name, there are some faint, illegible scribbles that might be initials or a date.

